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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,883	08/05/2003	Denny Jaeger	4309	1590

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EXAMINER

SHERKAT, AREZOO

ART UNIT PAPER NUMBER

2131

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,883

Applicant(s)

JAEGER, DENNY

Examiner

Arezoo Sherkat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

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Response to Amendment

This office action is responsive to Applicant's amendment received on 9/20/2006.

Claims 1-2 and 9-11 have been amended. Claims 1-13 remain pending.

Response to Arguments

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2 and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Blonder, (U.S. Patent No. 5,559,961).

Regarding claim 1, Blonder discloses in a computer system having a display, a method for creating and using computer passwords, including the steps of:

visually displaying graphic objects on the display, selecting at least one of said graphic object and designating it as a password graphic object (col. 3, lines 55-67 and col. 4, lines 1-30);

applying said password graphic object to a further graphic object to create a password protected graphic object, whereby said password protected graphic object cannot function unless said password graphic object is first applied as a key to said password protected graphic object (i.e., if it is determined at step 218 that the sequence of selected locations sequentially corresponds to the sequence of tap regions, entry of password has been successful, and PASSWD 16 grants the user access to processing system 10 and ends its execution, at step 226)(col. 4, lines 31-67 and col. 5, lines 1-5).

Regarding claim 2, Blonder discloses in a computer system having a display, a method for creating and using computer passwords, including the steps of:

visually displaying graphic objects on the display, selecting a plurality of said graphic objects and joining them and designating them as a password graphic object (col. 3, lines 55-67 and col. 4, lines 1-30);

applying said password graphic object to lock and password-protect a further graphic object, whereby said further graphic object cannot be accessed unless said password graphic object is first used to unlock said further object (i.e., if it is determined at step 218 that the sequence of selected locations sequentially corresponds to the sequence of tap regions, entry of password has been successful, and PASSWD 16 grants the user access to processing system 10 and ends its execution, at step 226)(col. 4, lines 31-67 and col. 5, lines 1-5).

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Regarding claims 10-11, Blonder discloses wherein said step of designating as a password includes the step of accessing the Info Canvas of one of said plurality of selected graphic objects and selecting the Make Password entry, whereby all of said plurality of selected graphic objects are incorporated into said password (i.e., following the user request for enablement of the password function or a new password, PASSWD 16 prompts the user to select the size and the number of tap regions that will make up the graphical password)(col. 3, lines 18-55).

Regarding claims 12-13, Blonder discloses wherein the step of unlocking said password-protected graphic object (i.e., image) further includes the step of dragging said password graphic object (i.e., at least two tap regions) to superpose on said password-protected further graphic object (col. 3, lines 55-66).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blonder, (U.S. Patent No. 5,559,961), in view of Park, (U.S. Publication No. 2004/0030933).

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Teachings of Blonder regarding limitations of claim 2 have been discussed previously.

Regarding claims 3 and 4, Blonder discloses wherein said plurality of objects include more than one of the following categories of graphic objects: alphanumeric characters, recognized hand drawn graphic objects, freeline hand drawn objects, and pictures (i.e., sequentially-numbered tap regions 401 are selected from the image 400) (col. 3, lines 32-54).

Moreover, Park discloses wherein the arranged symbols may include characters, figures, pictures, or the combination thereof as well as numbers (page 7, par. 122).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Blonder with teachings of Park because it would allow to include wherein the arranged symbols may include characters, figures, pictures, or the combination thereof as well as numbers as disclosed by Park. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Park to enable preventing the password from being revealed to others observing the course of inputting a password (Park, page 1, par. 3).

Regarding claims 5-8, Blonder does not disclose wherein said plurality of objects is each displayed in a respective color.

However, Park discloses wherein said plurality of objects is each displayed in a respective color (i.e., circles enclosing the numbers displayed on the password symbol board 62 may be displayed with different colors)(page 7, par. 122).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Blonder with teachings of Park because it would allow to include circles enclosing the numbers displayed on the password symbol board be displayed with different colors as disclosed by Park. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Park to enable the user to recognize the symbols rapidly (Park, page 7, par. 122).

Regarding claim 9, Blonder discloses wherein the combination possibilities of said password includes the spatial arrangement of said plurality of objects (col. 3, lines 55-67 and col. 4, lines 1-30).

However, Park discloses wherein the combination possibilities of said password includes the categories of said plurality of objects and the colors of said plurality of objects (i.e., wherein the arranged symbols may include characters, figures, pictures, or the combination thereof as well as numbers and circles enclosing the numbers displayed on the password symbol board 62 may be displayed with different colors)(page 7, par. 122).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Blonder with teachings of Park

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because it would allow to include wherein the arranged symbols may include characters, figures, pictures, or the combination thereof and wherein circles enclosing the numbers displayed on the password symbol board be displayed with different colors as well as numbers as disclosed by Park. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Park to enable preventing the password from being revealed to others observing the course of inputting a password (Park, page 1, par. 3) and to help the user recognize the symbols rapidly (Park, page 7, par. 122).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jansen, (U.S. Publication No. 2004/0230843),

Brothwick, (U.S. Publication No. 2003/0236836), and

Mizoguchi et al., (U.S. Publication No. 2004/0030934).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A.S
Patent Examiner
Group 2131
Dec. 4, 2006


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